



STATE OF HAWAII
DEPARTMENT OF HEALTH
P.O. BOX 3378
HONOLULU, HAWAII 96801-3378

In reply, please refer to:
EMD / CWB

03104PJLS.06c

DATE: March 31, 2006
NPDES PERMIT NO.: HI S000063

**PERMIT RATIONALE: APPLICATION FOR NATIONAL POLLUTANT
DISCHARGE ELIMINATION SYSTEM (NPDES) PERMIT
TO DISCHARGE TO THE WATERS OF THE UNITED
STATES**

**PERMITTEE: COUNTY OF KAUAI
DEPARTMENT OF PUBLIC WORKS**

**PROJECT: KAUAI FEDERAL AID PROJECT (FAP)
NO. CMAQ-0700(52)
AMERICANS WITH DISABILITIES ACT (ADA)
PRIORITY #2 CURB RAMPS AND SIDEWALKS**

PROJECT STREET ADDRESS

Kauai FAP No. CMAQ-0700(52)
ADA Priority #2
Curb Ramps and Sidewalks
Pee Road, Nalo Road, Lawai Road
Hoone Street, The Regency at
Poipu Kai, Kapili Road
Hoonani Road
Poipu, Kauai, Hawaii
TMK: 2-8-019; 2-6-006; 2-8-016;
2-8-027

PERMITTEE MAILING ADDRESS

County of Kauai
Department of Public Works
4444 Rice Street
Lihue, Hawaii 96766
Contact: Mr. Wallace Kudo
Chief, Division of Engineering
Phone No.: (808) 241-6498
Fax No.: (808) 241-6609

DULY AUTHORIZED REPRESENTATIVE (until issuance of NPDES Permit)

SEY Engineers
1126 12th Avenue, Room 309
Honolulu, Hawaii 96816

Contact: Mr. Howard K. Endo, Ph.D., P.E.
President
Phone No.: (808) 737-1875
Fax No.: (808) 734-5516

PERMIT STATUS

The Permittee submitted an Individual NPDES Permit application, dated October 24, 2005, for coverage of storm water discharges associated with construction activity to the Pacific Ocean from Poipu on the Island of Kauai, Class AA, Marine Water. The Department of Health (DOH), Clean Water Branch (CWB), reviewed the application and considers it to be complete.

The Director of Health (Director) proposes to issue a permit to discharge to the waters of the State and has included in the proposed draft permit those terms and conditions which the Director determined are necessary to carry out the provisions of the Federal Clean Water Act of 1977 (PL 95-217) and Hawaii Revised Statutes (HRS), Chapter 342D.

SCOPE OF THE CONSTRUCTION ACTIVITY AND LOCATION OF THE PROJECT

The project scope includes demolition and removal of existing curb ramps, sidewalks, pavement markings and striping; installing curb ramps and sidewalks, adjusting or constructing catch basins, utility structures and striping and signage to comply with the ADA at seven (7) curb ramps and four (4) sidewalk sites at eight (8) locations on Pee Road, Lawai Road, Poipu Road, and Kapili Road in the Poipu area of the island of Kauai. The TMK Nos. for the ramps and sidewalk areas are 2-6-006; 2-8-016:004; 2-8-019:011, 014, 015, 022; 2-8-027:018 and 020.

Each site generally encompasses a curb ramp or group of curb ramps that require reconstruction to conform with ADA requirements. For a typical intersection, there will be four (4) sites, one (1) at each corner. The square footage of the actual limit of work for a typical intersection corner is estimated at 0.184 acres, including staging area. The project will be undertaken in one (1) phase lasting about a year.

RECEIVING WATER CLASSIFICATION

The storm water runoff from the project site will discharge to the Pacific Ocean through the County of Kauai storm drainage system. As identified on the Water Quality Standards Map of the Island of Kauai, the area of discharge to the Pacific Ocean is classified by the DOH as Class AA, Marine Water. The objective of Class AA waters is that these waters remain in their natural pristine state as nearly as possible with an absolute minimum of pollution or alteration of water quality from any human-caused source or actions. To the extent practicable, the wilderness character of these areas shall be protected.

OCEAN DISCHARGE CRITERIA

The Director has considered the Ocean Discharge Criteria, established pursuant to Section 403(c) of the Clean Water Act for the discharge of pollutants into the territorial sea, the waters of the contiguous zone, or the oceans. The EPA has promulgated regulations for Ocean Discharge Criteria in 40 Code of Federal Regulations Part 125, Subpart M. Therefore, the

Director has determined that the discharge will not cause degradation to the marine environment. Based on current information, the Director proposes to issue a permit.

DESCRIPTION OF THE PROPOSED DISCHARGE

Storm water runoff will be controlled with use of filter fabric placed at drainage inlets to prevent discharges of sediments and construction-related debris. The proposed work will last approximately three (3) days at each site. At the end of the work day, the area surrounding the drainage inlet will be cleaned and the filter fabric removed for disposal at an appropriate facility. Construction-related materials that could contribute to the release of pollutants to State waters shall be covered with PVC sheet plastic or similar material to prevent inadvertent mixing with storm water. As required, berms or other controls shall be placed to divert storm flows around material storage locations.

The Site-Specific Construction Best Management Practices (BMPs) Plan shall be designed, operated, implemented, and maintained to ensure that storm water discharges associated with construction activities will not cause or contribute to a violation of applicable state water quality criteria as specified in Hawaii Administrative Rules (HAR), Chapter 11-54, Section 11-54-4.

PERMIT CONDITIONS

The Director has considered the permit conditions to discharge storm water runoff associated with construction activity, established pursuant to the Federal Water Pollution Control Act, Federal Clean Water Act, and the HRS. The Director has determined that the discharge will not cause degradation to the receiving water environment when the Permittee complies with the conditions of the permit. Therefore, based on current information, the Director proposes to issue a permit.

PROPOSED DETERMINATIONS

1. The General Requirements as stated in Part A of the permit are necessary in preventing pollutants to be discharged with the storm water to the receiving State waters, in addition to the general BMPs provisions proposed in the application.
2. The Reporting Requirements as stated in Part B of the permit are to inform the Permittee of submittal and reporting requirements for compliance with the permit conditions. The Permittee shall submit the following to the CWB, unless otherwise noted:
 - a. Solid Waste Disclosure Form for Construction Sites to the Office of Solid Waste Management
 - b. General Contractor Information (CWB-Individual NPDES Form C: Section 3)

- c. Non-Storm Water Information: Site-Specific Construction BMPs measures for the non-storm water handling methods. (CWB-Individual NPDES Form C: Section 7)
 - d. A facility map showing the information required by Sections 13.ii.(7), (8), and (9) (CWB-Individual NPDES Form C: Section 13.a.iv.)
 - e. Controls for Land Disturbances: Measures designated for specific sites. (CWB-Individual NPDES Form C: Section 13.b.iv.)
 - f. Updated construction schedule (CWB-Individual NPDES Form C: Section 13.b.vi.)
 - g. Site-Specific Construction BMPs Plan (CWB-Individual NPDES Form C: Section 13.c.)
 - h. Notice of Cessation Form (CWB-NOC Form)
3. The BMPs as stated in Part C of the permit are to emphasize pollution prevention measures that are applicable to the construction activities. The application cited the Special Conditions for Land Disturbances from HAR, Chapter 11-55, Appendix C, Section 11.